

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ARLANDER TAYLOR)

Plaintiff,)

vs.)

2:14-cv-00854-SGC

MIDLAND FUNDING, LLC, et al.,)

Defendants.)

MEMORANDUM OF OPINION AND ORDER

On July 15, 2015, the magistrate judge filed her report and recommendation, recommending that the defendants' motion to dismiss be granted in part and denied in part and that several counts in the plaintiff's complaint be dismissed in accordance with the plaintiff's agreement to withdraw those counts. (Doc. 37.) No objections to the report and recommendation were filed by either party. The undersigned was then randomly drawn to review the report and recommendation.

Having now carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the report is due to be and hereby is ADOPTED and the recommendation is ACCEPTED. Consequently, the defendants' motion to dismiss (Doc. 12) is hereby GRANTED as to Counts IV (15 U.S.C § 1692e(5)), VIII (15 U.S.C. § 1692f), and

XI (invasion of privacy) of the amended complaint, and DENIED as to Counts I (15 U.S.C. § 1692d) and IX (15 U.S.C. § 1692f(1)) of the amended complaint. Counts VII (15 U.S.C. § 1692e(11)), X (15 U.S.C. § 1692g), and XV (abuse of process) of the amended complaint are hereby DISMISSED in accordance with the plaintiff's agreement to withdraw those counts. This action is to remain assigned to the magistrate judge for further proceedings not inconsistent with this opinion and order.

DONE AND ORDERED ON AUGUST 6, 2015.

A handwritten signature in black ink, appearing to read 'L. Scott Coogler', is written over a horizontal line.

L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE

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